

2019 Current Fiscal Year Report: Commercial Customs Operations Advisory Committee

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1. Department or Agency		2. Fiscal Year	
Department of Homeland Security		2019	
3. Committee or Subcommittee		3b. GSA Committee No.	
Commercial Customs Operations Advisory Committee		2564	
4. Is this New During Fiscal Year?	5. Current Charter	6. Expected Renewal Date	7. Expected Term Date
No	05/15/2018	05/15/2020	
8a. Was Terminated During FiscalYear?	8b. Specific Termination Authority	8c. Actual Term Date	
No			
9. Agency Recommendation for Next FiscalYear	10a. Legislation Req to Terminate?	10b. Legislation Pending?	
Continue	Not Applicable	Not Applicable	
11. Establishment Authority Statutory (Congress Created)			
12. Specific Establishment Authority	13. Effective Date	14. Committee Type	14c. Presidential?
Pub.L. 114-125	04/01/2016	Continuing	No
15. Description of Committee Non Scientific Program Advisory Board			
16a. Total Number of Reports	No Reports for this FiscalYear		
17a. Open Meetings and Dates	17b. Closed	17c. Partially Closed	Other Activities
No Meetings	0	0	0

	Current FY	Next FY
18a(1). Personnel Pmts to Non-Federal Members	\$0.00	\$0.00
18a(2). Personnel Pmts to Federal Members	\$0.00	\$0.00
18a(3). Personnel Pmts to Federal Staff	\$0.00	\$0.00
18a(4). Personnel Pmts to Non-Member Consultants	\$0.00	\$0.00
18b(1). Travel and Per Diem to Non-Federal Members	\$0.00	\$0.00
18b(2). Travel and Per Diem to Federal Members	\$0.00	\$0.00
18b(3). Travel and Per Diem to Federal Staff	\$0.00	\$0.00
18b(4). Travel and Per Diem to Non-member Consultants	\$0.00	\$0.00
18c. Other(rents,user charges, graphics, printing, mail, etc.)	\$0.00	\$0.00
18d. Total	\$0.00	\$0.00

20a. How does the Committee accomplish its purpose?

The work of the Committee helps ensure that the trade community is well informed of CBP trade transformation policies and programs helps ensure compliance and promote continued CBP-Trade partnerships. This collaboration enables CBP to incorporate feedback from the private sector into key initiatives, lessening the negative impact of new programs and ensuring that CBP and the trade advance toward a common goal. Issues addressed by the Committee included the following: 1) Trade Modernization and Trade Transformation Initiatives such Centers of Excellence and Expertise and Broker Regulations; 2) Trade Enforcement and Revenue Collection in the areas of Intellectual Property Rights Enforcement and Bonds; 3) Global Supply Chain including Land Border Initiatives and Air Cargo Security and the development of the Air Cargo Advance Screening (ACAS) Pilot; 4) Trusted Trader Initiatives and Incentives; 5) One U.S. Government at the Border which looks at a One U.S. Government Holistic Approach; and 6) Export and Outbound issues including reviewing the use of advance data for exports and exports manifest.

20b. How does the Committee balance its membership?

According to the Trade Facilitation and Trade Enforcement Act of 2015, the COAC shall consist of 20 members, two government co-chairs and two government deputy co-chairs. Committee co-chair are the Assistant Secretary for Tax Policy of the Department of the Treasury and the Commissioner of Customs and Border Protection. Deputy co-chairs include the Assistant Secretary for Policy at the Department of Homeland Security, and the Director of U.S. Immigration and Customs Enforcement. The membership is comprised of individuals and firms affected by the commercial operations of CBP and without regard to political affiliation. Members represent the viewpoint of their respective interests and are not Special Government Employees as defined in section 202(a) of Title 18, United States Code. In addition, the members shall be selected to avoid geographic or regional concentration. Members shall not be paid compensation.

20c. How frequent and relevant are the Committee Meetings?

The Committee is scheduled to meet 4 times per year (8 public meetings per two year term). The purpose of the meetings is to share the work the COAC has been engaged in, vote on the recommendations made to the agency, and give the public an opportunity to comment on the recommendations.

20d. Why can't the advice or information this committee provides be obtained elsewhere?

The Committee is statutorily mandated by the Trade Facilitation and Trade Enforcement Act of 2015. It would be difficult, if not impossible, to obtain such a broad variety of viewpoints from such well qualified individuals in any other single forum. CBP continues to seek advice from the trade community on trade security and facilitation policies and initiatives. COAC provided recommendations for Exports, One US Government at the Border, Trade Enforcement & Revenue Collection, Trade Modernization regarding ACE, Global Supply Chain Land and Air Security Improvements, and Trusted Trader Programs.

20e. Why is it necessary to close and/or partially closed committee meetings?

Not Applicable

21. Remarks

Not Applicable

Designated Federal Officer

Bradley Hayes Executive Director, Office of Trade Relations

Committee Members	Start	End	Occupation	Member Designation
Allen, Cynthia	06/28/2018	06/28/2020	FedEx Trade Networks	Representative Member
Barnes, Brenda	06/28/2018	06/28/2020	Geo. S. Bush & Co	Representative Member
Basso, Luisella	06/28/2018	06/28/2020	Pitney Bowes, Global Ecommerce	Representative Member
Baxter, Barry	06/28/2018	06/28/2020	Walmart	Representative Member
Bray, Heidi	06/28/2018	06/28/2020	Fiat Chrysler Automobiles US, LLC	Representative Member
Catano, Celeste	06/28/2018	06/28/2020	BluJay Solutions	Representative Member
Feldman, Leonard	06/28/2018	06/28/2020	Sandler, Travis & Rosenberg	Representative Member
Gelsomino, Lisa	06/28/2018	06/28/2020	Importer and their agent	Representative Member
Gonzalez, Jose	06/28/2018	06/28/2020	JD Gonzalez Licensed Customs Broker	Representative Member
Hastings, Warren	06/28/2018	06/28/2020	Cardinal Health	Representative Member
Latham, Alexandra	06/28/2018	06/28/2020	Costco	Representative Member
Magnus, Amelia	06/28/2018	06/28/2020	AN Deringer	Representative Member
McAleenan, Kevin	01/20/2016	06/28/2020	U.S. Customs and Border Protection	Regular Government Employee (RGE) Member
Pinel, Kevin	06/28/2018	11/15/2018	Microsoft	Representative Member
Salerno, Adam	06/28/2018	11/15/2018	Raytheon	Representative Member
Skud, Timothy	02/27/2015	06/28/2020	The Department of Treasury	Regular Government Employee (RGE) Member
Smith, Amy	06/28/2018	06/28/2020	DHL Express	Representative Member
Swentik, Jody	06/28/2018	06/28/2020	Briggs and Stratton	Representative Member
Van Wallaghen, John	06/28/2018	06/28/2020	UPS	Representative Member
Veigel, Madeleine	06/28/2018	06/28/2020	Expeditors International	Representative Member
Vidal-Faulkenberry, Erika	11/19/2018	11/19/2020	The Hershey Co.	Representative Member
Weiner, Kate	06/28/2018	06/28/2020	Cargill	Representative Member
White, Brian	06/28/2018	06/28/2020	JM Smucker Co	Representative Member
White, Michael	06/28/2018	06/28/2020	Cargo Network Services	Representative Member
Wilkins, Kathy	06/28/2018	06/28/2020	Alliance Operating Service	Representative Member
Young, Michael	06/28/2018	06/28/2020	OOCL (USA)	Representative Member

Number of Committee Members Listed: 26

Narrative Description

The COAC advises the Secretaries of the Department of the Treasury (Treasury) and the Department of Homeland Security (DHS) on the commercial operations of U.S. Customs and Border Protection (CBP) and related Treasury and DHS functions. In accordance with section 109 of the Trade Facilitation and Trade Enforcement Act of 2015, the COAC:1. advises the Secretaries of the Treasury and DHS on all matters involving the commercial operations of CBP, including advising with respect to significant changes that are proposed with respect to regulations, policies, or practices of CBP;2. provides recommendations to the Secretaries of the Treasury and DHS on improvements to the commercial operations of CBP;3. collaborates in developing the agenda for COAC meetings; and4. performs such other functions relating to the commercial operations of CBP as prescribed by law or as the Secretaries of the Treasury and DHS jointly direct.

What are the most significant program outcomes associated with this committee?

Checked if Applies

Improvements to health or safety	<input type="checkbox"/>
Trust in government	<input checked="" type="checkbox"/>
Major policy changes	<input checked="" type="checkbox"/>
Advance in scientific research	<input type="checkbox"/>
Effective grant making	<input type="checkbox"/>
Improved service delivery	<input checked="" type="checkbox"/>
Increased customer satisfaction	<input checked="" type="checkbox"/>
Implementation of laws or regulatory requirements	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

Outcome Comments

Not Applicable

What are the cost savings associated with this committee?

Checked if Applies

None	<input type="checkbox"/>
Unable to Determine	<input checked="" type="checkbox"/>
Under \$100,000	<input type="checkbox"/>
\$100,000 - \$500,000	<input type="checkbox"/>
\$500,001 - \$1,000,000	<input type="checkbox"/>
\$1,000,001 - \$5,000,000	<input type="checkbox"/>
\$5,000,001 - \$10,000,000	<input type="checkbox"/>
Over \$10,000,000	<input type="checkbox"/>

Cost Savings Comments

Due to the nature of COAC recommendations cost savings are unable to be quantified but there are definitely cost savings to CBP, other government agencies and to the international trade community.

What is the approximate Number of recommendations produced by this committee for the life of the committee?

299

Number of Recommendations Comments

There were 299 recommendations that were approved during FY 2018 and for the life of the Commercial Customs Operations Advisory Committee (re-established COAC). The recommendations were broken out in the following areas:

- 34 Recommendations were submitted for One U.S. Government (1USG) Sub-committee regarding implementation of mandatory dates for filing in ACE, the continuation of the Border Interagency Executive Council, and partnering with Fish & Wildlife in terms of outreach, training, and processing.
- 38 Recommendations were submitted for Exports Sub-committee in the area of training and the development of clear policy and information relating to data elements on truck manifest, and benefits for trusted traders regarding pre-departure manifest targeting for export shipments.
- 11 Recommendations were submitted for Global Supply Chain Sub-committee in the area of minimum security criteria enhancement and consultation with the trade, uniformity and transparency in developing minimum security criteria, and the development of a proof of concept pilot for pipeline entries.
- 50 Recommendations were submitted for Trade Enforcement and Revenue Collection (TERC) Sub-committee related to the areas of Anti-Dumping and Countervailing Duties, Intellectual Property Rights, Bond, and recommendations relating to ENFORCE ACT.
- 163 Recommendations were submitted for Trade Modernization (Trade Mod) Sub-committee in the area of the Broker Regulations, Collaboration with the trade on Section 321 filing capabilities in ACE, responsible party for enforcement issues, and reduction/payment simplification of duty, taxes, and fees.
- 3 Recommendations from the Trusted Trader Subcommittee in the area of measurable benefits.

What is the approximate Percentage of these recommendations that have been or will be Fully implemented by the agency?

16%

% of Recommendations Fully Implemented Comments

A total of 299 recommendations were submitted by COAC from its inception through Sept. 2018. Of the 299 recommendations, 47 have been fully implemented.

What is the approximate Percentage of these recommendations that have been or will be Partially implemented by the agency?

19%

% of Recommendations Partially Implemented Comments

A total of 299 recommendations were submitted by COAC from its inception through Sept. 2018. Of the 299 recommendations, 56 have been partially implemented.

Does the agency provide the committee with feedback regarding actions taken to implement recommendations or advice offered?

Yes ☒ No ☐ Not Applicable ☐

Agency Feedback Comments

CBP provides feedback on the recommendations throughout the term through meetings with the subcommittees, updates at the public meetings and through updates on CBP.gov. Specifically the COAC web page at:

<https://www.cbp.gov/trade/stakeholder-engagement/coac>

What other actions has the agency taken as a result of the committee's advice or recommendation?

Checked if Applies

Reorganized Priorities	<input type="checkbox"/>
Reallocated resources	<input checked="" type="checkbox"/>
Issued new regulation	<input checked="" type="checkbox"/>
Proposed legislation	<input type="checkbox"/>
Approved grants or other payments	<input type="checkbox"/>
Other	<input type="checkbox"/>

Action Comments

Regulations and Rulings has been able to hire 8 attorneys over the course of 10 months in order to enable CBP to meet the trade and other critical priorities in the area of streamlining and updating existing regulations. Additionally, the Classification Branch has been divided into three branches and is planning to hire a branch chief in their goal to help expedite and facilitate the review and approval of rulings and decisions.

Is the Committee engaged in the review of applications for grants?

No

Grant Review Comments

Not Applicable

How is access provided to the information for the Committee's documentation?

Checked if Applies

Contact DFO	<input checked="" type="checkbox"/>
Online Agency Web Site	<input checked="" type="checkbox"/>
Online Committee Web Site	<input checked="" type="checkbox"/>
Online GSA FACA Web Site	<input checked="" type="checkbox"/>
Publications	<input type="checkbox"/>
Other	<input type="checkbox"/>

Access Comments

All COAC materials are located on CBP.gov on the following web page:

<https://www.cbp.gov/trade/stakeholder-engagement/coac>